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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,110	02/26/2002	Hee Sun Kim	P67659US0	3507

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WASHINGTON, DC 20004

EXAMINER

SHERKAT, AREZOO

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/082,110

Applicant(s)

KIM ET AL.

Examiner

Arezoo Sherkat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2002.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-8 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 26 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/26/02.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

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DETAILED ACTION

Claims 1-8 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Dulude et al., (U.S. Patent No. 6,310,966 and Dulude hereinafter).

Regarding claim 1, Dulude discloses a method for issuing a certificate using biometric information in a public key infrastructure-based authentication

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system including a registration authority, a certificate authority and a user system, the method comprising the steps of:

a) receiving a certificate issuance request message containing a user's reference number and biometric information sent from the user system under the condition that a user accesses the authentication system using the user system via the Internet to request a certificate issuance, and e) receiving a public key from the user system and issuing the certificate if the user system generates the public key (Col. 4, lines 13-65);

b) extracting the user's reference number and biometric information from the certificate issuance request message to authenticate the user in connection with the certificate issuance request (Col. 6, lines 28-65);

c) determining whether the biometric information is the same as user's biometric information stored in a database storage unit in such a way as to be matched with the reference number under the condition that the user is registered as a member in the authentication system d) generating an authentication code of the user having requested the certificate issuance and providing the generated authentication code to the user system (Col. 5, lines 15-50).

Regarding claim 2, Dulude discloses wherein the step d) includes the steps of:

d1) receiving the authentication code from the authentication system and generating a private key and a public key, and d2) sending the generated public

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key to a server of the certificate authority to be issued the certificate (i.e., user's public key along with user input data and registration biometric data are submitted to biometric certificate generator/registration authority before digital biometric certificate is generated)(Col. 4, lines 13-65 and Col. 5, lines 15-50).

Regarding claim 3, Dulude discloses wherein the step e) includes the steps of:

e1) if receiving the public key at the step e), determining using the public key whether the private key has been normally generated to form a key pair with the public key under the condition that the private key corresponding to the public key is generated, and e2) issuing the certificate if the private key has been normally generated (Col. 4, lines 13-65 and Col. 5, lines 15-50).

Regarding claim 4, Dulude discloses wherein the database storage unit includes: a user information database for storing the reference number for the certificate issuance and user information under the condition that the user is registered as a member in the authentication system, and a biometric information database for storing the biometric information of the user registered as the member, the user information and the biometric information being registered and stored in such a way as to be matched with each other (Col. 5, lines 15-50).

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Regarding claim 5, Dulude discloses wherein the user system includes a biometric information input unit (i.e., registration biometric input device) for inputting the biometric information of the user (Col. 4, lines 13-65).

Regarding claim 6, Dulude discloses wherein the biometric information is information about a user's unique fingerprint (Col. 4, lines 25-55).

Regarding claim 7, Dulude discloses wherein the biometric information is information about a user's unique iris (Col. 4, lines 25-55).

Regarding claim 8, Dulude discloses wherein the biometric information is information about a user's unique face feature vector (Col. 4, lines 25-55).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Davida et al., (U.S. Publication No. 2002/0070844),

Talmor et al., (U.S. Publication No. 2003/0135740), and

Ballard et al., (U.S. Publication No. 2003/0225693).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Arezoo Sherkat
Patent Examiner
Group 2131
April 13, 2005



AV2131

4/17/05